



Reprinted
January 28, 2005

SENATE BILL No. 169

DIGEST OF SB 169 (Updated January 27, 2005 2:09 pm - DI 52)

Citations Affected: IC 13-11; IC 13-14; noncode.

Synopsis: Environmental matters. Permits the department of environmental management to accept electronic signatures. Requires the department to study the feasibility of using environmental tickets or citations, using electronic permit applications and reports, and expediting the issuance of environmental licenses. Requires the environmental quality service council to study various aspects of environmental funds.

Effective: Upon passage.

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January 4, 2005, read first time and referred to Committee on Energy and Environmental Affairs.

January 19, 2005, amended, reported favorably — Do Pass.

January 27, 2005, read second time, amended, ordered engrossed.

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SB 169—LS 6732/DI 52+



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 169

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-61.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 61.3. "Electronic signature",**
4 **for purposes of IC 13-14-2-8, has the meaning set forth in**
5 **IC 26-2-8-102(8).**

6 SECTION 2. IC 13-14-2-8 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: **Sec. 8. The department may accept electronic**
9 **signatures, applying the same standards for the acceptance of**
10 **electronic signatures that apply under federal law.**

11 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **Before**
12 **September 1, 2005, the department of environmental management**
13 **shall:**

- 14 (1) **study the feasibility of the use by the department of tickets**
15 **or citations to enforce parts of IC 13;**
16 (2) **develop recommendations that identify:**
17 (A) **the parts, if any, of IC 13 that could be reasonably and**
18 **efficiently enforced using tickets or citations;**

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- 1 (B) the procedure that could be used for the enforcement;
- 2 and
- 3 (C) the statutory amendments that would be necessary to
- 4 authorize the enforcement;
- 5 (3) with respect to environmental permits, study the feasibility
- 6 of electronic applications and reporting, including the use of
- 7 electronic signatures;
- 8 (4) with respect to environmental permits, develop
- 9 recommendations that identify:
- 10 (A) the extent to which electronic applications and
- 11 reporting could be reasonably and efficiently implemented;
- 12 (B) the procedure that could be used for the
- 13 implementation; and
- 14 (C) the statutory amendments that would be necessary to
- 15 authorize the implementation;
- 16 (5) with respect to environmental licenses, study the feasibility
- 17 of substantially reducing the period between application and
- 18 issuance;
- 19 (6) with respect to environmental licenses, develop
- 20 recommendations that identify:
- 21 (A) the extent to which substantial reduction of the period
- 22 between application and issuance could be reasonably and
- 23 efficiently implemented;
- 24 (B) the procedure that could be used for the
- 25 implementation; and
- 26 (C) the statutory amendments that would be necessary to
- 27 authorize the implementation; and
- 28 (7) report the department's recommendations under
- 29 subdivisions (2), (4), and (6) to:
- 30 (A) the governor;
- 31 (B) the legislative council in an electronic format under
- 32 IC 5-14-6; and
- 33 (C) the environmental quality service council.
- 34 (b) This SECTION expires January 1, 2006.
- 35 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) For purposes of
- 36 this SECTION, "fund" refers to a fund established under:
- 37 (1) IC 13-15-10-3;
- 38 (2) IC 13-15-11-1;
- 39 (3) IC 13-17-6-3;
- 40 (4) IC 13-17-8-1;
- 41 (5) IC 13-17-14-6;
- 42 (6) IC 13-18-3-14;

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- 1 (7) IC 13-18-13-2;
- 2 (8) IC 13-18-21-2;
- 3 (9) IC 13-18-21-22;
- 4 (10) IC 13-19-5-2;
- 5 (11) IC 13-20-4-15;
- 6 (12) IC 13-20-13-8;
- 7 (13) IC 13-20-22-2;
- 8 (14) IC 13-23-6-1;
- 9 (15) IC 13-23-7-1;
- 10 (16) IC 13-25-4-1;
- 11 (17) IC 13-25-5-21; or
- 12 (18) IC 13-28-2-1.
- 13 (b) The environmental quality service council shall:
- 14 (1) study with respect to each fund:
- 15 (A) the relevance of the purpose of the fund;
- 16 (B) the clarity of the goal of the fund;
- 17 (C) the record of achievement of the goal of the fund;
- 18 (D) the appropriateness and necessity of activities funded
- 19 by the fund;
- 20 (E) whether financial accounting for the fund is correct;
- 21 (F) the extent to which available federal reimbursement to
- 22 the fund is obtained; and
- 23 (G) the future need for the fund;
- 24 (2) develop recommendations for any changes the
- 25 environmental quality service council believes are appropriate
- 26 in:
- 27 (A) the statutes and rules relating to the funds; or
- 28 (B) the administration of the funds;
- 29 (3) report the environmental quality service council's
- 30 recommendations under subdivision (2) to the governor; and
- 31 (4) include the recommendations developed under subdivision
- 32 (2) in the environmental quality service council's 2005 final
- 33 report to the legislative council.
- 34 (c) This SECTION expires January 1, 2006.
- 35 SECTION 5. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 169, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 14, after "the" insert "**environmental quality service**".

Page 3, line 18, after "the" insert "**environmental quality service**".

Page 3, line 21, after "in the" insert "**environmental quality service**".

Page 3, line 21, delete "general assembly." and insert "**legislative council**".

and when so amended that said bill do pass.

(Reference is to SB 169 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 169 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-11-2-61.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 61.3. "Electronic signature", for purposes of IC 13-14-2-8, has the meaning set forth in IC 26-2-8-102(8).**

SECTION 2. IC 13-14-2-8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. The department may accept electronic signatures, applying the same standards for the acceptance of electronic signatures that apply under federal law."**

Re-number all SECTIONS consecutively.

(Reference is to SB 169 as printed January 20, 2005.)

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